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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/040,734	01/04/2002	David Betz	GENSP029	3593
22434	7590	08/03/2007	EXAMINER	
BEYER WEAVER LLP			ZHAO, DAQUAN	
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OAKLAND, CA 94612-0250			PAPER NUMBER	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/040,734	BETZ ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Daquan Zhao	2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 13 June 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |                                                                                      |                                                                   |
|--------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____                                                          | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/13/2007 has been entered.

### **Claim Status**

2. Claims 16-23 are cancelled; claims 1, 11-15 are amended; claims 2-10 are original.

### ***Response to Arguments***

3. Applicant's arguments with respect to claims 1-15 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-5, 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abecassis (US 6,408,128 B1).

**Regarding claim 1**, Abecassis teach a method for enabling a viewer to create a customized video presentation from one or more preexisting digital video title (e.g. figure 15, lines 10-43, the left of figure 15 is the original presentation and the right side is the user customized presentation) on a DVD (e.g. figure 1, column 6, line 50 teach a DVD player), the method comprising:

- selecting any video frame from the one or more preexisting digital video title (e.g. user selected frame 1510 in figure 15).
- selecting one or more interesting points in the video frame (e.g. user selected race car number "5" using the pointer as a interest point figure 15).
- manipulating the one or more interest points in the associated video frame (e.g. automatically sized to display the target at the center of the window frame corresponds to manipulating the interest point);
- wherein the DVD player causes a portion of said preexisting digital video title to be displayed on a display coupled to said DVD player

(e.g. figure 15, frame 1510 is portion of the preexisting digital video title displayed by the DVD player), said file causes said DVD player to display the manipulated frame in place of the corresponding video frame from the preexisting digital title (e.g. column 61, line 47- column 62, line 18, "frame repositioning data", which corresponds to "said file", cause the re-display of the manipulated video frame as shown on figure 17F and 17G, which are the target selected by the viewer with magnification, wherein the "frame repositioning data" is obtain after viewer manipulated the video frame).

However, the above embodiment of Abecassis fail to teach storing a file on the digital video disc (DVD), said file storing the manipulated video frame and having identifiers for relating the manipulated video frame and the one or more interest points to the associated preexisting digital video title containing the original video frame before manipulation, the original frame also remaining stored on the DVD in unaltered form. Another embodiment of Abecassis teach storing a file on the digital video disc (DVD), said file storing the manipulated video frame and having identifiers for relating the manipulated video frame and the one or more interest points to the associated preexisting digital video title containing the original video frame before manipulation, the original frame also remaining stored on the DVD in unaltered form (e.g. column 60, lines 18-31, wherein the target has an identification number stored in the video map of the DVD, wherein column 23, lines 15-22 of Abecassis specifies that the video map of the DVD is an navigation data, and it is inherent that storing the file in the video map will

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not altered the original video frame because well known data structure of the DVD has the Navigation data, video data and audio data are in separated packets). It would have been obvious to one ordinary skill in the art at the time of the invention was made to use the storing method disclosed in "another embodiment" to stored the "repositioning data" and the manipulated video frame of the first embodiment in the navigation data to simplify the DVD data management in the reproduction procedure since all the data can be "navigated" using the navigation pack.

**For claim 2**, Abecassis discloses the method of claim 1, wherein said single video frame is a z-frame (e.g. figure 13, video, column 55, lines 1-7, and figure 15, 1511, 1521. page 4, lines 3-7 of the specification defines the z-frame as a point of interest in a video and a z-frame is also a single frame of a video where the video is paused and manipulated for the viewer's benefit).

**For claim 3**, Abecassis discloses the method of claim 1 further comprising the step of manipulating the z-frame using a function chosen from the group consisting of zoom, pan, and gamma correct (e.g. column 60, lines 18-31, "targets of magnification").

**For claim 4**, Abcassis discloses the method of claim 1, wherein said interest point is a vista point (e.g. figure 15, 1521, column 60, lines 18-31, "targets of magnification". Page 8, lines 24-25 defines the vista points can be portions of a single video frame, portion of a single video scene or series of video frames).

**For claim 5**, Abcassis discloses the method of claim 4, the method further comprising: selecting a pause time for the video frame, wherein the pause time controls the duration of any display of the z-frame (e.g. column 55, lines 22-29, "duration").

**For claim 9**, Abcassis teaches the method of claim 1, wherein the identifying the interest point further comprises identifying a zoom level for the interest point (e.g. column 59, lines 11-22, "desired zoom level").

5. Claim 11 rejected under 35 U.S.C. 103(a) as being unpatentable over Abecassis (US 6,408,128 B1) as applied to claims 1-5, 9 above, and further in view of Some et al (US 6,236,744 B1).

**Regarding claim 11**, Abecassis teach composer for enabling a viewer to create and display a manipulated video presentation from one or more preexisting digital video title (e.g. figure 15, lines 10-43, the left of figure 15 is the original presentation and the right side is the user customized presentation) on a DVD during playback of the preexisting digital video title (e.g. figure 1, column 6, line 50 teach a DVD player), the method comprising:

- A user interface for enabling a viewer to select any video frame from the one or more preexisting digital video title (e.g. user selected frame 1510 in figure 15 by pressing the X-button).
- A user interface for enabling a viewer to enter information associated with the video frame, the information being used to modify the video frame, the modified video frame having one or more interest points (e.g. column 61, lines 60- column 62, line 18, user can press A-button or B-button to enter the zoom level, and user can also enter information to decide which target occupy the larger window).

- A user interface for enabling a viewer to enter a control for said modified video frame (e.g. column 61, lines 60- column 62, line 18, user can press A-button or B-button to enter the zoom level, and user can also enter information to decide which target occupy the larger window).
- wherein the DVD player causes a portion of said preexisting digital video title to be displayed on a display coupled to said DVD player (e.g. figure 15, frame 1510 is portion of the preexisting digital video title displayed by the DVD player), said file causes said DVD player to display the manipulated frame in place of the corresponding video frame from the preexisting digital title (e.g. column 61, line 47- column 62, line 18, "frame repositioning data", which corresponds to "said file", cause the re-display of the manipulated video frame as shown on figure 17F and 17G, which are the target selected by the viewer with magnification, wherein the "frame repositioning data" is obtain after viewer manipulated the video frame).

However, the above embodiment of Abecassis fail to teach storing a file on the digital video disc (DVD), said file storing the manipulated video frame and having identifiers for relating the manipulated video frame and the one or more interest points to the associated preexisting digital video title containing the original video frame before manipulation, the original frame also remaining stored on the DVD in unaltered form. Another embodiment of Abecassis teach storing a file on the digital video disc (DVD),



said file storing the manipulated video frame and having identifiers for relating the manipulated video frame and the one or more interest points to the associated preexisting digital video title containing the original video frame before manipulation, the original frame also remaining stored on the DVD in unaltered form (e.g. column 60, lines 18-31, wherein the target has an identification number stored in the video map of the DVD, wherein column 23, lines 15-22 of Abecassis specifies that the video map of the DVD is a navigation data, and it is inherent that storing the file in the video map will not alter the original video frame because well known data structure of the DVD has the Navigation data, video data and audio data are in separated packets). It would have been obvious to one ordinary skill in the art at the time of the invention was made to use the storing method disclosed in "another embodiment" to store the "repositioning data" and the manipulated video frame of the first embodiment in the navigation data to simplify the DVD data management in the reproduction procedure since all the data can be "navigated" using the navigation pack.

Abecassis fail to specify an interest point chart for listing the one or more interest points associated with the modified video frame; an interest point setting area, said interest point setting area having a user interface for enabling a viewer to enter an x-coordinate and y-coordinate for each of the one or more interest points; Some et al teach an interest point chart for listing the one or more interest points associated with the modified video frame (e.g. figure 4, column 9, lines 11-22, "No. 1", "No.2"... are chart for the interest point); an interest point setting area, said interest point setting area having a user interface for enabling a viewer to enter an x-coordinate and y-coordinate

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for each of the one or more interest points (e.g. column 8, lines 30-60, mouse pointer coordinate); It would have been obvious to one ordinary skill in the art at the time the invention was made to incorporate the teaching of Some et al into the teaching of Abecassis for viewer to modify the size and shape of the interest area in the frame easily (Some et al, column 10, lines 32-39).

6. **Claims 6, 8, and 10** are rejected under 35 U.S.C. 103(a) as being unpatentable over Abecassis (US 6,408,128 B1) as applied to claims 1-5, 9 above, and further in view of Kaji et al (US 2002/0,018,136 A1).

See the teaching of Abecassis above.

**For Claims 6, 8, and 10**, Abecassis fails to teach the following:

- Entering a gamma correction for the interest point of the z-frame.
- Selecting a gamma correction for the interest point.
- Identifying an x-coordinate and a y-coordinate for the interest point.

Kaji et al teaches the gamma correction on each color signal and luminance signal (e.g. column 10, paragraph [154]), and Kaji et al also teaches identifying an x-coordinate and a y-coordinate for the enlargement center (e.g. column 9, paragraph [136]). It would have been obvious for one ordinary skill in the art at the time the invention was made to incorporate the teaching of Kaji et al into the teaching of Abecassis to limit the center position of the enlargement display process to a certain specified area within the image area, thereby, preventing enlarged display of a black portion not containing image information and minimizing the unnatural displacement of

the image center at the shift from the ordinary image display state to the enlarged display state (Kaji et al, column 10, paragraph [153]).

7. **Claims 14 and 15** are rejected under 35 U.S.C. 103(a) as being unpatentable over Abecassis (US 6,408,128 B1) and Some et al (US 6,236,744 B1) as applied to claims 1-5, 9, 11 above, and further in view of Kaji et al (US 2002/0,018,136 A1).

**For claims 14, and 15**, Abecassis teaches a composer for creating a z-frame from an enhanced digital video disk (DVD), said composer comprising: a user interface for entering a zoom level for the one or more vista points (e.g. column 59, lines 11-22, "desired zoom level"); However, Abecassis fails to teach a gamma correction level for the one or more vista points. Kaji et al teaches the gamma correction on each color signal and luminance signal (e.g. column 10, paragraph [154]). It would have been obvious for one ordinary skill in the art at the time the invention was made to incorporate the teaching of Kaji et al into the teaching of Abecassis to limit the center position of the enlargement display process to a certain specified area within the image area, thereby, preventing enlarged display of a black portion not containing image information and minimizing the unnatural displacement of the image center at the shift from the ordinary image display state to the enlarged display state (Kaji et al, column 10, paragraph [153]).

8. **Claim 7** is rejected under 35 U.S.C. 103(a) as being unpatentable over Abecassis (US 6,408,128 B1), as applied to claims 1-5, 9 above, and further in view of Nagasawa et al (US 6,141,484).

For claim 7, Abecassis teaches the video plays can be stop (e.g. column 16, column 53, line 60-67, "point in which the pause occurred"). However, Abecassis fails to teach the pre-roll time. Nagasawa teaches the pre-roll time prior to the video frame, wherein said pre-roll time is the amount of time the video plays to stopping on the video frame (e.g. column 11, lines 39-41). Therefore, It would have be obvious for one ordinary skill in the art at the time the invention was made to incorporate the teaching of Nagasawa into the teaching of Abecassis to provide an editing method in which a comfortable and convenient editing circumstance can be given to the editing operator (Nagasawa, column 5, lines 11-14).

9. **Claims 12 and 13** are rejected under 35 U.S.C. 103(a) as being unpatentable over Abecassis (US 6,408,128 B1) and Some et al (US 6,236,744 B1) as applied to claims 1-5, 9, 11 above, and further in view of Nagasawa et al (US 6,141,484).

For claims 12 and 13, Abecassis teaches a control for pause time and the z-frame (e.g. column 53, line 60-67). However, Abecassis fails to specify the pre-roll time. Nagasawa et al discloses the pre-roll time (e.g. column 11, lines 39-41). Therefore, It would have be obvious for one ordinary skill in the art at the time the invention was made to incorporate the teaching of Nagasawa into the teaching of Abecassis to provide an editing method in which a comfortable and convenient editing circumstance can be given to the editing operator (Nagasawa, column 5, lines 11-14).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daquan Zhao whose telephone number is (571) 270-1119. The examiner can normally be reached on M-Fri. 7:30 -5, alt Fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tran Thai Q, can be reached on (571)272-7382. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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